



BJC:klw

Please Date Stamp and Return

The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Inventor:	Prokai et al.	Docket No.:	1540/139
Title:	Alkyl Ether Modified Polymeric Compounds Having a Terminal Phenol & Uses for the Protection of Cells	Art Unit:	1616
		Examiner:	Sabiha Naim Qazi
Serial/Patent No.:	09/893,324	Date:	April 12, 2004
Filing/Issue Date:	June 27, 2001	Express Mail No.:	

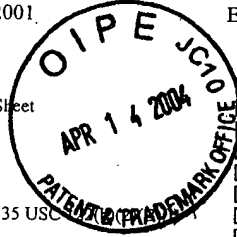
Documents:

- |  |   |
|--|---|
| <input type="checkbox"/> New Application Transmittal   | <input checked="" type="checkbox"/> Amendment Transmittal                         |
| <input type="checkbox"/> Provisional Application Cover Sheet                                   | <input checked="" type="checkbox"/> Amendment (Preliminary)                       |
| <input type="checkbox"/> Description- pages  | <input checked="" type="checkbox"/> Response C (After Final)                      |
| <input type="checkbox"/> Claims- pages   | <input checked="" type="checkbox"/> IDS & References                              |
| <input type="checkbox"/> Abstract  | <input checked="" type="checkbox"/> Petition for 2 month extension                |
| <input type="checkbox"/> Application Data Sheet  | <input checked="" type="checkbox"/> Issue Fee Transmittal & Form PTOL-85b         |
| <input type="checkbox"/> Request and Certification under 35 USC                                | <input checked="" type="checkbox"/> Payment of Maintenance Fee                    |
| <input type="checkbox"/> sheets of drawings  | <input checked="" type="checkbox"/> Assignment/Recordation Form Cover Sheet       |
| <input type="checkbox"/> <input type="checkbox"/> formal <input type="checkbox"/> informal     | <input checked="" type="checkbox"/> Check in the amount of \$                     |
| <input type="checkbox"/> Declaration & Power of Attorney                                       | <input checked="" type="checkbox"/> Completion of Filing Requirements             |
| <input type="checkbox"/> <input type="checkbox"/> executed <input type="checkbox"/> unexecuted | <input checked="" type="checkbox"/> Transmittal of Formal Drawings                |
| <input checked="" type="checkbox"/> Appendix A Declaration by James W. Simpkins                | <input checked="" type="checkbox"/> Copy of Request for Certificate of Correction |
| <input checked="" type="checkbox"/> Appendix B Curriculum Vitae of James W. Simpkins           | <input type="checkbox"/> for Patent No. 5,554,601 (1540/105)                      |

**RECEIVED**

APR 19 2004

**BROMBERG & SUNSTEIN**



**DOCKETED**



Practitioner's Docket No. 1540/139

**DOCKETED**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Laszlo Prokai, James W. Simpkins

Application No.: 09/893,324

Group No.: 1616

Filed: 06/27/2001

Examiner: Qazi, Sabiha N.

For: Alkyl Ether Modified Polycyclic Compounds Having a Terminal Phenol and Uses for Protection of Cells

**RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP  
1616**



**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL**

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

☒ with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: April 12, 2004

Barbara J. Carter

(type or print name of person certifying)

*\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application. Also enclosed is a Declaration by James W. Simpkins, and his curriculum vitae.

### STATUS

2. Applicant is a small entity. A statement was already filed.

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee: \$210.00

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No Previously Paid For	Present Extra	Rate	Addit Fee
Total	6	Minus	46	= 0	x \$9 =	\$0
Indep	1	Minus	7	= 0	x \$43 =	\$0
First Presentation of Multiple Dependent Claim					+ \$145 =	\$0
Total Addit. Fee						\$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,  
\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".  
\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".  
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

### FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$210.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

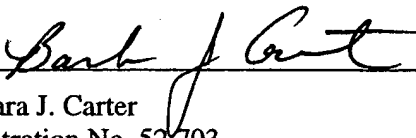
**FEE DEFICIENCY**

6.

If any additional extension and/or fee is required, charge Account No. 19-4972.

If any additional fee for claims is required, charge Account No. 19-4972.

Date: April 12, 2004

  
Barbara J. Carter  
Registration No. 52,703  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
617-443-9292  
Customer No. 02101



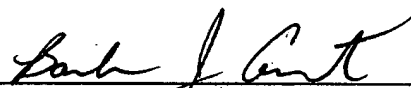
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Prokai et al. Att'y Docket: 1540/139  
Serial No.: 09/893,324 Art Unit: 1616  
Filed: June 27, 2001 Examiner: Sabiha Naim Qazi  
Entitled: ALKYL ETHER MODIFIED POLYCYCLIC  
COMPOUNDS HAVING A TERMINAL PHENOL  
AND USES FOR THE PROTECTION OF CELLS

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, Alexandria, VA, 22313, on April 12, 2004.

  
Barbara J. Carter, Ph.D.

\*\*\*\*\*

Honorable Commissioner of Patents  
Alexandria, VA

**RESPONSE UNDER 37 CFR §1.116 – EXPEDITED PROCEDURE –  
TECHNOLOGY CENTER 1600, ART UNIT 1616  
RESPONSE C**

Dear Sir:

Applicants would first like to express appreciation for the withdrawal by the Examiner of prior art rejections under 35 USC § 102, and various rejections under 35 USC § 112, paragraphs 1 (enablement) and 2 (indefiniteness). Applicants respectfully submit this response, with a Declaration under 35 USC § 1.132 by Dr. Simpkins (Appendix A) and his curriculum vita (Appendix B) in reply to the Office Action of November 12, 2003 and ask that the following arguments be considered.

**INDEX:**

**Amendments to the Specification** begin on p. 2 of this paper.

**Amendments to the Claims** begin on p. 3 of this paper.

**Remarks** begin on p. 4 of this paper.

**Appendix A**, a 35 USC §1.132 Declaration by Dr. Simpkins, immediately follows this paper.

**Appendix B**, the curriculum vita of Dr. Simpkins, immediately follows this paper.